

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LUBAVITCH-CHABAD OF ILLINOIS, INC., )  
LUBAVITCH-CHABAD OF EVANSTON, INC., )  
d/b/a THE TANNENBAUM CHABAD HOUSE, )  
and RABBI DOV HILLEL KLEIN, )

Plaintiffs, )

v. )

No. 12 CV 7571

NORTHWESTERN UNIVERSITY, TIMOTHY )  
STEVENS, and PATRICIA TELLES-IRVIN , )

Defendants. )

**DEFENDANTS' RULE 26.1 INITIAL DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Defendant Northwestern University (the "University"), Timothy Stevens, and Patricia Telles-Irvin (collectively "Defendants"), by their counsel, hereby provides the following initial disclosures, based on the information currently and reasonably available to them. Defendants make this disclosure subject to, and without waiving, their right to protect from disclosure any and all communications protected by the attorney-client privilege, the attorney work-product doctrine, and any other applicable privilege or discovery protection. Defendants make this initial disclosure without waiving any argument they may have concerning the relevancy or admissibility of, or proper weight to be accorded to, any of the materials produced or information contained therein. Defendants also reserve the right to amend these disclosures at any time as permitted by law.

**I. Potential Witnesses [Rule 26(a)(1)(A)]**

Defendants list the following potential witnesses in compliance with Federal Rule of Civil Procedure 26(a)(1)(A) and expressly reserve the right to supplement or modify this list as further information becomes available:

- A. A Representative of Plaintiff Lubavitch-Chabad of Illinois, Inc.  
c/o Tamara de Silva  
650 North Dearborn, Suite 7000  
Chicago, IL 60654  
(312) 913-9999

Upon information and belief, a representative of Lubavitch-Chabad of Illinois, Inc. will have knowledge of Lubavitch-Chabad of Illinois, Inc.'s claims in this case, including the Lubavitch-Chabad of Illinois, Inc.'s knowledge of the University's concerns of reported alcohol use and abuse at the Tannenbaum Chabad House and the Lubavitch-Chabad of Illinois, Inc.'s actions regarding same; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; the University's alleged discrimination against the Chabad and Jewish faith; any damages or other relief to which Plaintiffs claim to be entitled; and any other matters pertinent to the issues raised by the Complaint or the Petition for a Temporary Restraining Order and Preliminary Injunction.

- B. A Representative of Plaintiff Lubavitch-Chabad of Evanston, Inc. d/b/a the Tannenbaum Chabad House  
c/o Tamara de Silva  
650 North Dearborn, Suite 7000  
Chicago, IL 60654  
(312) 913-9999

Upon information and belief, a representative of the Tannenbaum Chabad House will have knowledge of the Tannenbaum Chabad House's claims in this case, including the University's affiliation with the Tannenbaum Chabad House and Rabbi Klein; the Tannenbaum Chabad House's knowledge of the University's concerns of reported alcohol use and abuse at the

Tannenbaum Chabad House and the Tannenbaum Chabad House's actions regarding same; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; the University's alleged discrimination against the Chabad and Jewish faith; any damages or other relief to which Plaintiffs claim to be entitled; and any other matters pertinent to the issues raised by the Complaint or the Petition for a Temporary Restraining Order and Preliminary Injunction.

C. Plaintiff Rabbi Dov Klein  
c/o Tamara de Silva  
650 North Dearborn, Suite 7000  
Chicago, IL 60654  
(312) 913-9999

Upon information and belief, Rabbi Klein will have knowledge of his claims in this case, including the University's affiliation with the Tannenbaum Chabad House and Rabbi Klein; alcohol use and abuse at the Tannenbaum Chabad House; Rabbi Klein's use and abuse of alcohol in the presence of University students; the University's concerns regarding alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein; Rabbi Klein's actions regarding the University's concerns; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; the University's alleged discrimination against the Chabad and Jewish faith; the Consulting Agreement between Rabbi Klein and Sodexo pursuant to which Rabbi Klein consulted with Sodexo regarding the provision of kosher food to the University; any damages or other relief to which Plaintiffs claim to be entitled; and any other matters pertinent to the issues raised by the Complaint or the Petition for a Temporary Restraining Order and Preliminary Injunction.

D. Rabbi Daniel Moskowitz  
c/o Tamara de Silva  
650 North Dearborn, Suite 7000  
Chicago, IL 60654  
(312) 913-9999

Upon information and belief, Rabbi Moskowitz will have knowledge of the Lubavitch-Chabad of Illinois, Inc.'s claims in this case, including his knowledge of the University's concerns of reported alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein and his actions regarding same; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; the University's alleged discrimination against the Chabad and Jewish faith; any damages or other relief to which Plaintiffs claim to be entitled; and any other matters pertinent to the issues raised by the Complaint or the Petition for a Temporary Restraining Order and Preliminary Injunction.

E. Patricia Telles-Irvin, Vice President for Student Affairs  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Ms. Telles-Irvin has knowledge of the University's affiliation with the Tannenbaum Chabad House and Rabbi Klein; reported alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein; the University's concerns regarding alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; and any other matters pertinent to the issues raised by the Complaint, the Answer, or the Petition for a Temporary Restraining Order and Preliminary Injunction.

- F. Timothy Stevens, University Chaplain  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Chaplain Stevens has knowledge of the University's affiliation with the Tannenbaum Chabad House and Rabbi Klein; reported alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein; the University's concerns regarding alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein; the reasons for the University's disaffiliation with the Tannenbaum Chabad House and Rabbi Klein; and any other matters pertinent to the issues raised by the Complaint, the Answer, or the Petition for a Temporary Restraining Order and Preliminary Injunction.

- G. Anne VanOsdol, Director of Special Projects for Student Affairs  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Ms. VanOsdol has knowledge of Rabbi Klein's consultation with Sodexo regarding the provision of kosher food to the University and the University's reimbursement of Sodexo for fees paid to Rabbi Klein pursuant to a Consulting Agreement between Sodexo and Rabbi Klein.

- H. Sheila Driscoll, Director of Business & Finance for Student Affairs  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Ms. Driscoll has knowledge of the University's reimbursement of Sodexo for fees paid to Rabbi Klein pursuant to a Consulting Agreement between Sodexo and Rabbi Klein.

- I. Mary Desler, former Assistant Vice President for Student Affairs and Dean for Students  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Ms. Desler has knowledge of the reported alcohol use and abuse at the Tannenbaum Chabad House and the University's concerns regarding alcohol use and abuse at the Tannenbaum Chabad House.

- J. William Banis, former Vice President for Student Affairs  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Mr. Banis has knowledge of the University's affiliation with the Tannenbaum Chabad House and Rabbi Klein; reported alcohol use and abuse at the Tannenbaum Chabad House; and the University's concerns regarding alcohol use and abuse at the Tannenbaum Chabad House.

- K. Garth Miller, former Director of Housing and Food Service  
c/o Frederic J. Artwick and Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Mr. Miller has knowledge of Rabbi Klein's use of Allison Dining Hall in April 2005 for his son's Bar Mitzvah, including the service of alcohol at the event.

- L. Rabbi Jack Moline, parent of Northwestern University 2012 graduate

Rabbi Moline has knowledge of reported alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein.

M. Maxwell Moline, Northwestern University 2012 graduate

Mr. Moline has knowledge of alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein.

N. Michael Simon, Executive Director, Fiedler Hillel

Mr. Simon has knowledge of alcohol use and abuse at the Tannenbaum Chabad House and by Rabbi Klein.

O. Rabbi Michael Balinsky, former Rabbi at Fiedler Hillel

Rabbi Balinsky has knowledge of alcohol use and abuse at the Tannenbaum Chabad House.

P. Steve Mangan, District Manager, Sodexo

Mr. Mangan has knowledge of the Consulting Agreement between Sodexo and Rabbi Klein under which Rabbi Klein consulted with Sodexo regarding the provision of kosher food to the University and the University's reimbursement of Sodexo for fees paid to Rabbi Klein pursuant to the Consulting Agreement.

Q. Grace Knight, Lead Manager Allison Dining Hall, Sodexo

Ms. Knight has knowledge of Rabbi Klein's use of Allison Dining Hall in April 2005 for his son's Bar Mitzvah, including the service of alcohol at the event.

In addition to the individuals identified above, Defendants incorporate into their disclosures any other individuals identified in documents produced or discovery provided by the parties, including Plaintiff's Rule 26(a)(1) Initial Disclosures; any individual who is deposed in this case, including any individuals Plaintiffs designates under Rule 30(b)(6); and any expert witnesses identified by the parties. The University's investigation in this matter continues and the University expressly reserves the right to amend or supplement these disclosures as

appropriate. The University also reserves the right to have any identified witness testify concerning additional or different topics.

**II. Documents [Rule 26(a)(1)(B)]**

Defendant Northwestern University has custody of the following relevant documents: Patricia Telles-Irvin's files relating to Rabbi Dov Klein; Timothy Stevens's files relating to Rabbi Dov Klein; Rabbi Dov Klein's emails from Northwestern University's server; the Consulting Agreement between Sodexo and Rabbi Klein, under which Rabbi Klein consulted with Sodexo regarding the provision of kosher food to the University; Northwestern University's contract with Sodexo dated September 1, 2008; documents relating to Northwestern University's kosher food program and Rabbi Klein's involvement therewith; all discovery responses and documents produced by any party; and any documents that expert witnesses consider in forming their opinions in this case. Investigation continues.

**III. Damages [Rule 26(a)(1)(C)]**

Defendants claim no damages against Plaintiffs at this time.

**IV. Insurance [Rule 26(a)(1)(D)]**

Defendants believe Plaintiffs' claims are covered by an insurance program maintained by Northwestern University in an amount adequate to cover the claim.

s/ Patricia M. Petrowski

One of the Attorneys for Defendants  
Northwestern University, Timothy Stevens,  
and Patricia Telles-Irvin



Frederic J. Artwick  
Patricia M. Petrowski  
Sidley Austin LLP  
One South Dearborn Street  
Chicago, IL 60603  
(312) 853-7000

Dated: November 2, 2012

**CERTIFICATE OF SERVICE**

Patricia M. Petrowski, an attorney, hereby certifies that on November 2, 2012, she caused a true and correct copy of the foregoing **Defendants' Rule 26.1 Initial Disclosure Statement** to be filed electronically with the Clerk of Court to be filed and served upon all parties via the Court's CM/ECF system.

s/ Patricia M. Petrowski